

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
NORTHERN DIVISION AT KNOXVILLE**

In re :
 :
STEVEN R. STANDIFER : **Case No. 3:20-bk-30270-SHB**
 : **Chapter 7**
Debtor :

**MOTION FOR LEAVE TO DISMISS
A COMPLAINT OBJECTING TO DISCHARGE**

NOTICE OF HEARING

Notice is hereby given that:

A hearing will be held on the “Motion For Leave To Dismiss A Complaint Objecting To Discharge” on October 28, 2021, at 9:00 a.m., in the United States Bankruptcy Court, Courtroom 1-C, Howard H. Baker, Jr. United States Courthouse, 800 Market Street, Knoxville, Tennessee 37902.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to grant the relief requested, you or your attorney must attend this hearing. If you do not attend the hearing, the Court may decide that you do not oppose the relief sought in the “Motion For Leave To Dismiss A Complaint Objecting To Discharge” and may enter an order granting that relief.

Pursuant to E.D. Tenn. LBR 9019-1(a), Carl Matthew Rice (“Rice”) requests permission to dismiss his Amended Complaint objecting to the discharge of Steven Robert Standifer (“Standifer”). In support of his Motion, Rice represents:

(1) On February 22, 2016, Judgment in the amount of \$1,450,000.00 was entered in the Circuit Court for Jefferson County, Tennessee, in favor of Rice and against Standifer and Cherokee and Dimension, LLC, a former wood processing plant.

(2) On February 14, 2019, Standifer and Peggy F. Standifer acquired title to the property known as 617 Grandeur Drive, Talbott, Tennessee (the “Property”).

(3) On January 29, 2020, Standifer filed his Voluntary Petition under Chapter 7.

(4) On July 2, 2021, Rice filed his Amended Complaint objecting to Standifer’s discharge pursuant to 11 U.S.C. § 727(a)(2) and (4). (See Doc 33 in Adv. Proc. No. 3:20-ap-03023-SHB.)

(5) On August 4, 2021, Standifer filed his Answer (Doc 38) to the Amended Complaint denying he made any transfer with intent to hinder, delay or defraud Rice and denying he made a false oath or account in his bankruptcy case.

(6) On June 11, 2021, Rice and Standifer participated in a mediation conducted by The Honorable Shelley D. Rucker. No agreement was reached, but the mediation was left open. Rice and Standifer have exchanged several offers since the mediation date.

(7) Standifer has agreed to pay \$75,000.00 to Rice in exchange for:

(a) dismissal of the Amended Complaint objecting to discharge;

(b) release of the Judgment lien which is attached to Standifer’s tenancy by the entirety interest in the Property; and

(c) withdrawal of Rice’s Proof of Claim No. 3 filed for the amount of \$2,023,152.42.

(8) The proposed settlement is fair and equitable because the intent issues are disputed and there is considerable equity in the Property. It is uncertain whether Standifer will survive Peggy Standifer, his wife, or if she will survive him. If Standifer predeceases Peggy Standifer, Rice’s Judgment lien against the Property will be extinguished. If Standifer survives Peggy Standifer, Rice would be able to cause a sale of the Property to enforce his Judgment lien. The settlement does not negatively impact the estate.

WHEREFORE, Rice requests the Court to grant his Motion to permit him to dismiss the Amended Complaint objecting to Standifer's discharge and for such other relief to which he may be entitled.

/s/ Maurice K. Guinn

Maurice K. Guinn (BPR # 000366)

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